

REMARKS

Claims 1-17 are currently pending in this application. Claims 16 and 17 have been allowed.

This Amendment amends the specification, drawings, and claims 2 and 9. Support for the amendments to the specification, drawings and claim 2 can be found in the specification and claims as originally filed. Claim 9 contained a typographical error. No new matter has been added.

The Examiner has objected to the drawings under 37 C.F.R. §1.84(p)(5) because the reference numeral “92” does not appear in the drawings. In response, reference numeral “92” has been added to Figure 8 on the attached drawing correction sheet. Further, additional corrections have been made to Figs. 7 and 8 (shown in red) of the attached proposed drawing correction sheet and as described in the Amendments To The Drawings. No new matter has been added. In view of the above, reconsideration and withdrawal of this objection is respectfully requested.

The Examiner objected to the specification because reference numeral “74” in paragraphs [0024] and [0034] should read as reference numeral --50--. Further, the Examiner has requested that Applicant correct any errors in the specification that Applicant becomes aware of. In response, the specification has been amended to correct the minor typographical errors. No new matter has been added. In view of the above, reconsideration and withdrawal of this objection are respectfully requested.

Claims 2-7 stand rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. In particular, the Examiner asserts that the phrase “the filter orifices” in claim 2 lacks antecedent basis. In response, claim 2 has been amended to replace the phrase “the

filter orifices” with the phrase --a plurality of filter orifices--. Support for the amendment to claim 2 can be found, for example, on page 4, paragraph [0022] of the present specification. Claims 3-7 depend either directly or indirectly from amended claim 2. In view of the above, reconsideration and withdrawal of the rejection of claims 2-7 are respectfully requested.

Claims 1-11 stand rejected under 35 U.S.C. §102(e) for anticipation by U.S. Design Patent No. D470,920 to Verdecchia et al. (hereinafter “Verdecchia”). Verdecchia has a filing date of September 12, 2001. The present application claims the benefit of U.S. Provisional Patent Application No. 60/272,025, filed February 28, 2001, which is the effective U.S. filing date of the present application. Because the effective U.S. filing date of February 28, 2001 supersedes the filing date of September 12, 2001 of Verdecchia, Verdecchia is not considered prior art under 35 U.S.C. §102. In view of the above, reconsideration and withdrawal of the rejection of claims 1-11 are respectfully requested.

Claims 1, 8, and 12-14 stand rejected under 35 U.S.C. §102(e) for anticipation by U.S. Patent No. 6,260,576 to Allen (hereinafter “the Allen patent”). The Allen patent was filed on May 30, 2000, while the present application was filed on February 28, 2002, claiming priority under 35 U.S.C. §119(e) to U.S. Provisional Patent Application No. 60/272,025 filed February 28, 2001. Again, the effective filing date of the present application is the filing date of the provisional application, i.e., February 28, 2001. Please find enclosed with this Amendment a Declaration Under 37 C.F.R. §1.131 showing conception and diligence prior to May 30, 2000, until February 28, 2001, which is not only the effective filing date of the present application but, also, the date of constructive reduction to practice. The present invention was conceived and diligently reduced to practice from a time prior to the May 30, 2000 filing date of the Allen patent until the February 28, 2001 effective filing

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date of the present application. Therefore, the Allen patent may be removed as a §102(e) reference, and the rejection based on the Allen patent is moot.

The Examiner objected to claim 15 for being dependent upon rejected claim 14. Because the rejection of claims 12-14 is believed to be moot, the objection to claim 15 is also moot.

In view of the foregoing amendments, remarks and the enclosed Declaration Under 37 C.F.R. §1.131, reconsideration of the rejections and objections and allowance of pending claims 1-17 are respectfully requested.

Respectfully submitted,

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